

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

v.

DAVID SIDOO, *et al.*,

Defendants.

Case No. 19-cr-10080

**UNOPPOSED MOTION TO EXTEND FILING DEADLINE AND FOR LEAVE TO
EXCEED PAGE LIMIT**

At the hearing on February 27, 2020, the Court directed Defendants to file a submission relating to the government's recent and forthcoming disclosures of exculpatory material by March 13, 2020. On March 4, 2020, the government produced a subset of the promised materials, including certain FBI 302 reports and Cellbrite Extraction Reports of Rick Singer's cell phones. The government also indicated that it would provide additional discovery, including additional FBI 302 reports, T-III telephone calls and text messages, agent notes, and additional cell phone data from Singer's phones, on or before March 13, 2020. On March 5, 2020, Defendants requested a one week extension of the March 13, 2020 deadline to allow time to review and incorporate discovery being produced by the government (Dk. #925), which the Court granted (Dk. #927). The government's second discovery production was not produced to Defendants until the afternoon of Monday, March 16, 2020, and included more than 200,000 pages of material and over 20 gigabytes of data in the form of cell phone collections, telephone calls, images, etc. The Defendants have been working diligently to review and incorporate the newly disclosed discovery material and prepare a consolidated submission.

Furthermore, as a result of the spread of COVID-19, nearly all members of the defense team are under orders to shelter in place or are required to work remotely, which has made it more difficult for defense counsel to coordinate review of the material produced by the government, and seek input and approval from all Defendants for the consolidated submission.

Given the volume and timeline of the discovery produced by the Government, along with the extraordinary circumstances arising from the rapid spread of COVID-19, Defendants respectfully request that the Court extend the deadline for filing the submission by three business days, from Friday, March 20, 2020, until Wednesday, March 25, 2020.¹ The government does not oppose this request.

Further, Defendants respectfully submit this request to file a consolidated over-length brief. As grounds for this motion, the Defendants state that additional pages are necessary to address the numerous issues raised by the Government's recent disclosure of exculpatory material in one submission that adequately addresses the concerns specific to each of the Defendants. As further grounds for this motion, the Defendants state that the government also does not oppose this request.

Dated: March 18, 2020

Respectfully submitted,

/s/ Sean M. Berkowitz
Sean M. Berkowitz (*admitted pro hac vice*)
LATHAM & WATKINS LLP
330 North Wabash Avenue
Suite 2800
Chicago, IL 60611
Phone: 312.777.7700
Fax: 312.993.9767
sean.berkowitz@lw.com

¹ All Defendants join in this motion.

William J. Trach (BBO #661401)
LATHAM & WATKINS LLP
200 Clarendon Street
Boston, MA 02116
Phone: 617.948.6000
Fax: 617.948-6001
william.trach@lw.com

*Counsel for Mossimo Giannulli and Lori
Loughlin*

LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), I hereby certify that I have conferred with counsel for the Government, and the Government does not oppose the relief requested in this motion.

/s/ William J. Trach
William J. Trach

CERTIFICATE OF SERVICE

I certify that the foregoing document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing, and paper copies will be sent on March 18, 2020 to those identified as non-registered participants.

/s/ Sean M. Berkowitz
Sean M. Berkowitz